

United States District Court  
for  
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Letheteus Fennessee Case Number: 1:09-00010  
Name of Sentencing Judicial Officer: Honorable William J. Haynes, Jr., Chief U.S. District Judge  
Date of Original Sentence: March 15, 2010  
Original Offense: Possession With Intent to Distribute and Distribution of Cocaine Base (3 counts)  
Original Sentence: 12 months' and 1 day custody followed by 3 years' supervised release.  
Type of Supervision: Supervised release Date Supervision Commenced: June 7, 2010  
Assistant U.S. Attorney: Phil Wehby Defense Attorney: G. Kerry Haymaker

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THE COURT ORDERS:

- No Action *as recommended*  
 Submit a Petition for Summons  
 Submit a Petition for Warrant  
 Other

Considered this 19<sup>th</sup> day of November, 2012, and made a part of the records  
in the above case.

*W. J. Haynes Jr.*  
Hon. William J. Haynes, Jr.  
Chief U. S. District Judge

I declare under penalty of perjury that  
the foregoing is true and correct.  
Respectfully submitted,

*Lisa A. Capps*

Lisa A. Capps  
U.S. Probation Officer

Place: Columbia, Tennessee

Date: November 13, 2012

## ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall not commit another federal, state, or local crime:**

Letheteus Fennessee was cited for Possession of Casual Exchange of a Controlled Substance by the Metropolitan Nashville Police Department (MNPD) on September 12, 2012. On September 27, 2012, he appeared in Davidson County General Sessions Court, Nashville, Tennessee, citation number SC1000019. The Court ordered the Mr. Fennessee to complete a drug and alcohol education program by February 4, 2013. If this condition is not completed, the offender will be found guilty, ordered to serve 20 days in jail, and pay fines/costs.

2. **The defendant shall refrain from any unlawful use of a controlled substance:**

On October 29, 2012, Mr. Fennessee submitted a urine sample at the probation office which tested positive for marijuana. On this date, Mr. Fennessee admitted that he used marijuana October 26, 2012, at birthday party for his cousin.

3. **The defendant shall participate in a program of drug testing and treatment as directed by the probation officer:**

Mr. Fennessee failed to attend individual counseling at Centerstone or submit any random urine screens during the month of September 2012.

**Compliance with Supervision Conditions and Prior Interventions:**

Letheteus Fennessee is a resident of Maury County, Tennessee, and has been under the federal supervision of the U.S. Probation Office since June 7, 2010. He lives with his parents in Mt. Pleasant, Tennessee. The probation officer completes regular unannounced home visits at the offender's residence. Mr. Fennessee is currently employed.

The offender was released from Bureau of Prisons custody on June 7, 2010. On that date, the offender arrived at the Residential Re-entry Center in Nashville, to begin a 3-month stay as a condition of his supervised release.

On July 14, 2010, a 12B petition was filed with the Court requesting a hearing to modify the offender's conditions to include drug treatment. Said petition was signed by Your Honor on July 22, 2010, and a hearing was held on August 2, 2010. On this date, by agreement of all parties, the offender's conditions of supervision were modified to include his participation in a drug treatment program. The offender was enrolled in substance abuse treatment at Maury County Centerstone from August 30, 2010, through November 10, 2010. He attended 4 sessions and was making some progress; however, his treatment was cut short when he was arrested in Lawrence County on an outstanding warrant.

On September 27, 2010, a 12C petition was filed notifying the Court of the offender's termination from the RRC due to numerous rules violations. Said petition was signed by Your Honor on October 18, 2010, and a hearing was held on June 3, 2011. On this date, the offender's term of supervised release was revoked and he was sentenced to time served and two years of supervised release, with an additional special condition for two months of home confinement.

On March 2, 2012, a 12A petition was filed notifying the Court of a positive urine screen on February 6, 2012. As a result of that positive drug screen, Mr. Fennessee was re-enrolled in the Maury County Centerstone drug treatment program.

This officer met with Mr. Fennessee on October 29, 2012, to discuss his recent non-compliance with his conditions of supervision. We talked again on October 31, 2012, and when questioned about the citation for possession or casual exchange, Mr. Fennessee stated he had been with his two cousins in Nashville to attend a concert that night and was stopped for expired tags. He stated the officer found a stem and seeds from a marijuana cigarette in the vehicle and everyone in the car was cited for it. In reference to missing drug treatment and urine screens, he stated that since his arrest earlier for the domestic assault, he has been very stressed out and had just not been attending counseling or calling for urine screens. This officer issued a verbal reprimand to Mr. Fennessee for violating his conditions of supervised release by using illegal drugs, not attending drug treatment, and for being cited on the misdemeanor offense. Mr. Fennessee was re-instructed as to all conditions, and specifically instructed not to possess or use illegal substances and to attend all counseling sessions and/or urine screens. Mr. Fennessee understands that any future illegal drug use will most likely result in a request for a summons or warrant and recommendation for revocation. The offender's term of supervision is scheduled to expire on June 2, 2013.

**U.S. Probation Officer Recommendation:**

At this time, the probation officer is requesting that no additional action be taken by the Court. It is recommended Mr. Fennessee continue on supervised release and undergo increased monitoring and drug testing by the probation officer. Any additional violations will be reported to the Court in a timely manner.

The U. S. Attorney's Office has been advised of the offender's noncompliance.

Approved: Kenneth P.C.

Kenneth Parham

Supervisory U.S. Probation Officer